

July 1732

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Estates of the Subjects most agreeable to the *British* Constitution, and a very great Ease to all Persons concerned: And that the Increase of Business in the Provincial Court, renders the Decision of Causes there, without very great Delay and Expence, impracticable;

Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That Two Justices of the Provincial Court, on each Side of the Bay, (such as the Governor, for the Time being, shall think fit to appoint,) shall be Justices of Assize Nisi Prius, and Justices of Oyer and Terminer, and Gaol Delivery; and that the said Two Justices, or either of them, (in Case of Sicknels, or other Inability,) shall and may, at the respective Times in this Act mentioned, hear and try all Matters of Fact in all Actions Real, Personal, and Mixt, and all Actions Popular, for the Breach of any Law that is now depending, or that shall be commenced, in the Provincial Court, in the several Counties where the Facts have arisen, or shall arise, and not elsewhere; except in any Special Case, where it shall appear, that Justice cannot in all Probability be so equally administered to the Parties, as if the Trial should be appointed in some other Place, as fully and amply as any Justices of Assizes and Nisi Prius in England used, or by Law, ought or may try, hear, and determine. And that all Treasons, Murthers, Felonies, and other Crimes, Offences, and Misdemeanors, of what Nature or Quality soever, that have been, or by Law might be, tried in the Provincial Court, shall be heard, and tried, and determined, by the said Justices, in the several Counties where they shall be committed, as fully and amply as the said Offences, or any of them, might have been tried, heard, and determined, by the Provincial Court, or any Court of Oyer and Terminer, and Gaol-Delivery, according to the Laws of England, and this Province.

PROVIDED always, That nothing in this Act shall be construed to divest the County Courts of any Jurisdiction they have; and that they may hear and determine all Matters and Things within their Cognizances, as they have heretofore done; any thing in this Act to the contrary, notwithstanding.

AND be it Enacted, That Two of the Provincial Justices to be appointed, as aforesaid, on the Western Shore, or One of them, in Case of the Other's Sicknels or Inability, shall meet and hold their Courts at Baltimore County Court-house, the First Tuesday in April and September, Yearly; at Annapolis, for Anne-Arundel County, the Mondays after the said First Tuesday; at Calvert County Court-house, the Friday after the Second Tuesdays of the said Months; at Saint Mary's County Court-house, the Wednesdays after the Third Tuesdays in the said Months; at Charles County Court-house, the Mondays after the Third Tuesdays in the said Months; and at Prince George's County Court-house, the Fridays following. And that Two of the Provincial Justices on the Eastern Shore, to be appointed, as aforesaid, or One of them, in Case the Other should be sick, or incapable to attend, shall meet and hold their Courts at Somerset County Court-house, the First Tuesdays of the said Months, Yearly; at Dorchester County Court-house, the First Mondays after; in Talbot County, the Thursdays after the Second Tuesdays; at Queen-Anne's County